

MEMO ENDORSED

November 21, 2023

BY ECF AND EMAIL

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Def Buyer's surrender date will
be re-scheduled in view of Buyer's
11/21/23 surgery.

Court will hold a conference
on Wednesday, 11/29/23 @ 11:00
AM. (in person or by video as
counsel pm/rr)

SO ORDERED:

Date: 11/22/23

Richard M. Berman
Richard M. Berman, U.S.D.J.

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Re: *United States v. Stephen Buyer*, 22-cr-397 (RMB)
Sealed Expedited Motion To Delay November 28, 2023 Report Date

Dear Judge Berman:

We write on behalf of Mr. Buyer to respectfully request the Court's permission to submit a letter requesting that the Court modify Mr. Buyer's surrender date of November 28, 2023 by approximately six weeks, to January 9, 2024 before 2:00 PM. Pursuant to the Court's November 20, 2023 order denying Mr. Buyer's prior motion "without prejudice," Dkt. 196 at 1, the enclosed letter and exhibits attached thereto provide "additional information and briefing" in support of Mr. Buyer's request, to which the government consents. *Id.*

In the alternative, Mr. Buyer respectfully requests that the Court postpone his surrender date for at least one week so that he can seek this relief on an emergency basis from the Second Circuit, which Mr. Buyer intends to do by 12:00 pm on November 22, 2023 absent relief from this Court, given the imminent surrender date, the upcoming holiday and related court closures, and his physical inability to report to the Bureau of Prisons facility as directed.

Because the letter and supporting documentation (Exs. A, B, and C) contain Mr. Buyer's personal and sensitive medical information, Mr. Buyer requests that they be filed under seal.

Respectfully submitted,

Henry W. Asbill

Henry W. Asbill

cc: Olivia A. Rauh, Esq.
Margaret Graham, AUSA
Kiersten Fletcher, AUSA